

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION

Retha Warren,)	C/A No.: 1:14-1985-DCN-SVH
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
Commissioner of Social Security)	
Administration,)	
)	
Defendant.)	
)	

This appeal from a denial of social security benefits is before the court for a Report and Recommendation (“Report”) pursuant to Local Civ. Rule 73.02(B)(2)(a) (D.S.C.). Through a complaint filed on May 19, 2014, Plaintiff brought this action pursuant to 42 U.S.C. § 405(g) and § 1383(c)(3) to obtain judicial review of the final decision of the Commissioner of Social Security (“Commissioner”) denying her claim for benefits. [ECF No. 1]. The Commissioner filed an answer on September 29, 2014, making Plaintiff’s brief due by November 3, 2014. [ECF No. 8]. On November 3, 2014, Plaintiff filed a motion for a 60-day extension to file her brief. [ECF No. 10]. The undersigned granted Plaintiff’s motion, making her brief due by January 5, 2015. [ECF No. 11]. Plaintiff failed to file a brief by January 5, 2015. On January 6, 2015, the undersigned entered an order directing Plaintiff to advise the court whether she wished to continue her case and to file a brief by January 13, 2015. [ECF No. 13]. Plaintiff failed to file a brief by January 13, 2015. On January 14, 2015, Plaintiff filed a second motion for an extension of time, requesting an additional 15 days to file her brief. [ECF No. 15]. The

undersigned entered an order granting Plaintiff's motion and directing that Plaintiff's brief be filed by January 29, 2015. [ECF No. 16]. Plaintiff failed to file her brief within the requisite period.

The Local Civil Rules of this court allow the Commissioner 40 days after service of a plaintiff's brief to file a responsive brief. Local Civ. Rule 83.VII.05 (D.S.C.). As Plaintiff has elected not to file a brief, the Commissioner may file a brief supporting her decision by March 11, 2015. The court will then decide the case on the record.

IT IS SO ORDERED.



January 30, 2015
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge